



## Legislation Details (With Text)

**File #:** 2017-0320      **Version:** 2

**Type:** Ordinance      **Status:** Passed

**File created:** 8/14/2017      **In control:** Hearing Examiner

**On agenda:**      **Final action:** 10/30/2017

**Enactment date:** 11/8/2017      **Enactment #:** 18598

**Title:** AN ORDINANCE authorizing the vacation of a portion of SE 70th Drive right of way, also known as Geo. Stephan Road and County Road No. 1615, File V-2706; Petitioners: Liway Hsi and Claremont Forest, LLC.

**Sponsors:** Joe McDermott

**Indexes:** Hearing Examiner, Right-of-Way, Vacation

**Code sections:**

**Attachments:** 1. Ordinance 18598.pdf, 2. 2017-0320 leg review form.pdf, 3. A. V2706 Map, 4. B. Hearing Examiner Report Dated September 29, 2017, 5. 2017-0320 DOT RSD Staff Report.pdf, 6. A. V2706 Map, 7. 2 V2706 Transmittal Letter - SE 70th Drive i.doc, 8. 4 V2706 Fiscal Note - SE 70th Drive.xls, 9. 5 V2706 CRE Report - SE 70th Drive.docx, 10. 2017-0320 V-2706 Notice of Hearing -Seattle Times 9/13 & 20/17, 11. 2017-0320 affidavit of pub- Seattle Times 9/13 & 20/2017, 12. Affidavit of Posting - Dept of Transportation.pdf, 13. V-2706.pdf

Date	Ver.	Action By	Action	Result
10/30/2017	2	Metropolitan King County Council	Passed	Pass
8/14/2017	1	Metropolitan King County Council	Introduced and Referred	

Clerk 10/31/2017

AN ORDINANCE authorizing the vacation of a portion of SE 70th Drive right of way, also known as Geo. Stephan Road and County Road No. 1615, File V-2706; Petitioners: Liway Hsi and Claremont Forest, LLC.

### STATEMENT OF FACTS:

1. A petition has been filed requesting vacation of a portion of SE 70th Drive right of way, also known as Geo. Stephan Road and County Road No. 1615, hereinafter described.
2. The department of transportation notified utility companies serving the area and King County departments of the proposed vacation and has been advised that easements are not required within the vacation area.
3. The department of transportation records indicate that King County has not expended public funds for

the acquisition or maintenance of the subject portions of SE 70th Drive right of way. (The actually-constructed SE 70th Drive was built almost entirely adjacent to the area being vacated today.)

4. The department of transportation considers the subject portion of right of way useless as part of the county road system and believes the public would benefit by the return of this unused area to the public tax rolls.

5. Pursuant to K.C.C. 14.40.020, it is determined that it would benefit King County to accept real property of equal or greater value in lieu of cash compensation. King County is in receipt of a Statutory Warranty Deed from Petitioner Claremont Forest, LLC conveying to King County, land of an equal or greater value than the vacation area consisting of;

A 40 foot wide road right-of-way over those portions of King County large lot segregation emsc 13-0004, recorded under recording number 20130816900001, lying with the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 29, Township 24 North, Range 8 East, W.M., and lying 20 feet each side of the following described centerline:  
Commencing at the East Quarter corner of said Section 29;  
Thence North  $00^{\circ}18'51''$  East along the East line of said Northeast Quarter 437.78 feet to the intersection with the centerline of an existing gravel roadway and the point of beginning;  
Thence South  $82^{\circ}09'32''$  West 441.99 feet to the beginning of a curve to the left having a radius of 60.00 feet;  
Thence Southwesterly and Southerly along said curve through a central angle of  $97^{\circ}05'58''$  an arc distance of 101.68 feet;  
Thence South  $14^{\circ}56'26''$  East 217.32 feet to the beginning of a curve to the right having a radius of 276.00 feet;

Thence Southerly along said curve to the right through a central angle of 34° 20'32" an arc distance of 165.43 feet to the as-built centerline of Southeast 70th drive and the terminus of this right-of-way description.

The sidelines of said right-of-way to be extended or shortened to close on the easterly line of said Northeast Quarter of Section 29.

Situate in the County of King and State of Washington.

Said replacement right of way is the area currently occupied by the improved and open portions of SE 70th Drive. The conveyance of this portion of right of way will perfect the county's ownership interests in the right of way for the actual SE 70th Drive.

6. Due notice was given in the manner provided by law. The office of the hearing examiner held the public hearing on September 25, 2017. The examiner concluded that the road segment subject to this petition is not useful as part of the King County road system; that the public will benefit from its vacation; that the proposed replacement property provides the public with right of way to a currently improved and open portion of SE 70th Drive; and recommends that the council accept the proposed transfer of real property by Statutory Warranty Deed from Petitioner Claremont Forest, LLC as compensation for the vacation of the subject right of way.

7. In consideration of the benefits to be derived from the subject vacation, the council has determined that it is in the best interest of the citizens of King County to grant said petition.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The council, on the effective date of this ordinance, hereby vacates and abandons a portion of SE 70th Drive right of way, also known as Geo. Stephan Road and County Road No. 1615 being a portion of that conveyed to King County in the Quit Claim Deed from Snoqualmie Falls Lumber Company dated August 30, 1920, recorded under King County Volume 1124 of Deeds, Page 23, Recording Number 1455150, as described below:

That portion of Southeast 70th Drive (George Stephan Road) as per King County Road Survey No. 1615 as established August 23, 1920, being a 40 foot wide strip of land in the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 29, Township 24 North, Range 8 East, W.M. the centerline of which is more particularly described as follows:

Commencing at the East Quarter corner of said Section 29;

Thence North  $00^{\circ}18'51''$  East along the East line of said Northeast Quarter 530.95 feet to the intersection with the centerline of said Southeast 70th Drive and the point of beginning;

Thence South  $66^{\circ}36'06''$  West 208.03 feet to the beginning of a curve to the left having a radius of 190.99 feet;

Thence Southwesterly along said curve an arc distance of 157.34 feet through a central angle of  $47^{\circ}12'00''$ ;

Thence South  $19^{\circ}24'06''$  West 505.86 feet, more or less, to the as-built centerline of Southeast 70th Drive and the terminus of this right of way vacation description;

Situate in the County of King and State of Washington.

Containing an area of 25,165 square feet, more or less.